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TESLA, INC.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

19 TESLA, INC., Plaintiff,

V

MARTIN TRIPP

Plaintiff,

22

MARTIN TRIPP

Defendant.

Case No. 3:18-cv-00296-LRH-CBC

**AMENDED APPENDIX OF EXHIBITS IN
SUPPORT OF TESLA, INC.'S MOTION
FOR SUMMARY JUDGMENT OR, IN
THE ALTERNATIVE, FOR PARTIAL
SUMMARY JUDGMENT**

(VOLUME 3 of 3)

AND RELATED COUNTERCLAIMS

1 Plaintiff and Counterclaim Defendant, Tesla, Inc., submits an Amended Appendix of
 2 Exhibits in Support of its Motion for Summary Judgment, or in the alternative, Partial Summary
 3 Judgment.

Ex	Description	Vol. #	Page Nos.
1	September 4, 2019 Martin Tripp Deposition Excerpts [Filed with redactions]	1	MSJ_001-046
2	August 27, 2019 Nicolas Gicinto Deposition Excerpts [Filed with redactions]	1	MSJ_047-081
3	January 22, 2019 Michael Persyn Deposition Excerpts	1	MSJ_082-086
4	September 6, 2019 Shamara Bell Deposition Excerpts	1	MSJ_087-102
5	June 5, 2019 Sarah O'Brien Deposition Excerpts	1	MSJ_103-109
6	Martin Tripp's June 14, 2018 interview with Nicolas Gicinto and Jake Nocon (TESS-TRIPP_0028450-739) [Filed under seal]	1	MSJ_110-147
7	Exhibit 74 to the deposition of Martin Tripp, screenshots of messages between Martin Tripp and James Uelmen (TES-TRIPP_0021837)	1	MSJ_148-149
8	Evelyn Cheng, <i>Tesla shares falls after Moody's downgrades credit rating</i> , CNBC.COM (Mar. 27, 2018)	1	MSJ_150-158
9	Sonari Glinton, <i>Out Of The Gate, Tesla Stumbles On Its Mass-Market Car</i> , NPR (Oct. 3, 2017)	1	MSJ_159-167
10	Neal E. Boudette, <i>For Tesla, 'Production Hell' Looks Like the Reality of the Car Business</i> , THE NEW YORK TIMES (April 3, 2018)	1	MSJ_168-170
11	Exhibit 70 to the deposition of Martin Tripp, the June 2, 2018 email correspondence between Martin Tripp and Michael Bowling, subject line: "Meet to discuss the following," (TRIPP00951-52) [Filed under seal]	1	MSJ_171-173
12	October 16, 2017 email correspondence and attachment between Michael Bowling and Martin Tripp, subject line: "FW Martin Tripp," (TES-TRIPP_0026707) [Filed under seal]	1	MSJ_174-177
13	Tesla Motor's Inc. Code of Business Conduct and Ethics (TRIPP00773-80)	1	MSJ_178-186
14	Tesla's Communications Policy and Confidentiality Agreement (TRIPP000781-84) [Filed under seal]	1	MSJ_187-191
15	Tesla Motors, Inc. Employee Proprietary Information and Inventions Agreement (TRIPP000820-23) [Filed under seal]	1	MSJ_192-196
16	July 27, 2017 Applicant Non-Disclosure Agreement with Tesla (GGL000140 0001) [Filed under seal]	1	MSJ_197-199
17	Exhibit 66 to the deposition of Martin Tripp, the February 20, 2018 email correspondence between Chris Guenther and Michael Bowling, subject line: "FW:3DU Stator NCM personnel issue(s)," (TES-TRIPP_0021669-70)	1	MSJ_200-202
18	March 8, 2018 email correspondence between Michael Bowling and Martin Tripp (TES-TRIPP_0021668)	1	MSJ_203-204
19	Exhibit 69 to the deposition of Martin Tripp, the May 25, 2018 email correspondence between Michael Bowling nad Martin Tripp (TES-TRIPP_0000846)	1	MSJ_205-206

1	20	May 25, 2018 email correspondence between Michael Bowling and Martin Tripp, subject line: "Verbal Warning follow up," (TES-TRIPP_00008460)	1	MSJ_207-208
2	21	May 27, 2018 email correspondence from mtripp@tesla.com to martytripp@icloud.com , subject line: "Fwd: NCM updates-to help reduce NCM WIP level," (TES-TRIPP_00219091-92) [Filed under seal]	1	MSJ_209-211
3	22	May 27, 2018 email correspondence from "Marty Tripp" to "Me," subject line: "T Scrap 2018," (GGL000248)	1	MSJ_212-213
4	23	May 27, 2018 email correspondence from Martin Tripp to llopez@businessinsider.com , subject line: "Pics," (GGL000092-GGL000092_0003) [Filed under seal]	1	MSJ_214-218
5	24	Exhibit 26 to the deposition of Martin Tripp, the June 5, 2018 email correspondence from Martin Tripp to Linda Lorel, subject line: "Valeo robot being removed and pic of the query for all model 3's."	1	MSJ_219-220
6	25	May 29, 2018 email correspondence from Martin Tripp to Linette Lopez, subject line: "Email to Elon," (GGL000098-GGL000098.0010) [Filed under seal]	1	MSJ_221-232
7	26	June 1, 2018 email correspondence from Martin Tripp to llopez@businessinsider.com , subject line: "Scrap Tableau," (GGL000243-GGL000243_0002.0002) [Filed under seal]	2	MSJ_233-253
8	27	Exhibit 1 to the deposition of Martin Tripp, the May 27, 2018 email correspondence between Martin Tripp and Linette Lopez : "TESLA (From someone that works there)" [Filed under seal]	2	MSJ_254-255
9	28	May 27, 2018 email correspondence between Martin Tripp and llopez@businessinsider.com , subject line: "T Scrap 2018," (GGL000077-GGL000077_0006) [Filed under seal]	2	MSJ_256-404
10	29	June 6, 2018 email correspondence between Kamran Mumtaz and Linette Lopez, subject line: "New machine from Germany," (TES-TRIPP_0012897-99)	2	MSJ_405-408
11	30	Linette Lopez, <i>Internal documents reveal Tesla is blowing through an insane amount of raw material and cash to make Model 3s, and production is still a nightmare</i> , BUSINESS INSIDER (June 4, 2018)	2	MSJ_409-414
12	31	Linette Lopez, <i>Tesla's new Gigafactory robots that are supposed to help it ramp up Model 3 production aren't working yet</i> , BUSINESS INSIDER (June 6, 2018)	2	MSJ_415-418
13	32	June 6, 2018 email correspondence between Martin Tripp and Linette Lopez, subject line: "New machine from Germany," (GGL000158-GGL000158.0006)	2	MSJ_419-426
14	33	Text message correspondence between Martin Tripp and Linette Lopez, (TRIPP000873-892) [Filed under seal]	2	MSJ_427-447
15	34	June 19, 2018 email correspondence between noreplynotifications@tesla.com and Martin Tripp, subject line: "Information for Employees Departing Tesla."	2	MSJ_448-449
16	35	Exhibit 58 to the deposition of Martin Tripp, the June 20, 2018 email correspondence between Martin Tripp and Julia Carrie Wong, subject line: "Termination/Lawsuit"	2	MSJ_450-452
17	36	Exhibit 2 to the Deposition of Shamara Bell, the June 21, 2018 email correspondence between Shamara Bell and Jeff Jones, subject line: "Martin Tripp Call"	2	MSJ_453-455

1	37	Exhibit 11 to the Deposition of Shamara Bell, the June 20, 2018 email correspondence between Brooke Airey and Avery Bustamante, subject line: "FW: Martin Trip: Possible Threat," (TRIPP00906)	2	MSJ_456-457
2	38	Exhibit 12 to the Deposition of Shamara Bell, the June 20, 2018 email correspondence between Avery Bustamante, Shamara Bell, Angel Besinaiz, Brooke Airey, and Kristin Kerowicz, subject line: "Martin Trip: Possible Threat," (TES-TRIPP 0003386-88)	2	MSJ_458-461
3	39	June 20, 2018 email correspondence between Shamara Bell and Kristin Kerowicz, subject line: Martin Trip: Possible Threat," (TES-TRIPP 0004022-23)	2	MSJ_462-464
4	40	June 20, 2018 email correspondence between Sarah O'Brien and Julia Wong, subject line: "Query re: Martin Tripp and your emails," (TES-TRIPP 0010122-31)	2	MSJ_465-475
5	41	June 20, 2018 email correspondence between Drew Harwell and Dave Arnold, subject line: "Hi from Washington Post," (TES-TRIPP 00221996-2002)	3	MSJ_476-483
6	42	June 21, 2018 email correspondence between Don Reisinger and Dave Arnold, subject line: "Fortune inquiry on Tripp's comments" (TES-TRIPP 0004024-25)	3	MSJ_484-486
7	43	Exhibit 3 to the Deposition of Dave Arnold, the June 20, 2018 email correspondence between Drew Harwell and Dave Arnold, subject line: "Hi from Washington Post" (TES-TRIPP 0006183-89)	3	MSJ_487-494
8	44	June 21, 2018 email correspondence between Sarah O'Brien and Dave Arnold, subject line: "Hi from Washington Post" (TES-TRIPP 0009687-700)	3	MSJ_495-509
9	45	Exhibit 4 to the deposition of Dave Arnold, the June 21, 2018 email correspondence between Dave Arnold and Lora Kolodny, subject line: "CNBC query-Martin Tripp interview in WaPo – whistleblower claims" (TES-TRIPP 0006175-76)	3	MSJ_510-512
10	46	August 28, 2018 email correspondence from Arlan Adamsen to himself, subject line: "FW: Conversation with Kristin Kerowicz" (TES-TRIPP 0000971-73)	3	MSJ_513-516
11	47	Sean Gouthro, Storey County Sheriff's Office Felony Report (TRIPP01253-66)	3	MSJ_517-531
12	48	Excerpts from the certified transcript of James Uelmen's June 25, 2018 interview with Nicolas Gicinto and Justin Zeefe (TES-TRIPP 0028348)	3	MSJ_532-541
13	49	Martin Tripp's Second Amended Response and Objections to Tesla's Interrogatory No. 7, served on June 13, 2019 [Filed under seal]	3	MSJ_542-548
14	50	Tesla's Amended Response and Objections to Martin Tripp's Interrogatory No. 13, served on May 20, 2019 [Filed with redactions]	3	MSJ_549-554
15	51	Exhibit 41 to the deposition of Martin Tripp	3	MSJ_555-557
16	A	<i>Tesla CEO Elon Musk, stressed but "optimistic," predicts big increase in Model 3 production.</i> CBS NEWS (April 13, 2018)	3	MSJ_558-563
17	B	<i>Linette Lopez, Internal documents reveal Tesla is blowing through an insane amount of raw material and cash to make Model 3s, and production is still a nightmare,</i> BUSINESS INSIDER (June 4, 2018)	3	MSJ_564-569

1	C	Linette Lopez, <i>Tesla's new Gigafactory robots that are supposed to help it ramp up Model 3 production aren't working yet</i> , BUSINESS INSIDER (June 6, 2018)	3	MSJ_570-573
2	D	Tesla Motors, Inc. Employee Proprietary Information and Inventions Agreement (TRIPP000820-23) [Filed under seal]	3	MSJ_574-578
3	E	Tesla's Communications Policy and Confidentiality Agreement (TRIPP000781-84) [Filed under seal]	3	MSJ_579-583
4	F	June 18, 2018 Email from Elon Musk to Everyone, subject line: <i>“Some concerning news”</i> (TES-TRIPP 0001221-1222)	3	MSJ_584-586
5	G	June 20, 2018 email correspondence between Elon Musk, Todd Maron and Sarah O'Brien, subject line: <i>“Termination Lawsuit”</i> (TRIPP000868)	3	MSJ_587-588
6	H	June 20, 2018 email correspondence between Elon Musk, Julie Wong, David Arnold, Press and Sarah O'Brien, subject line: <i>“Termination Lawsuit”</i> (TES-TRIPP 0016924-16930)	3	MSJ_589-596
7	I	July 5, 2018 Tweet from Elon Musk @lopezlinette (TES-TRIPP 0004648)	3	MSJ_597-598

Respectfully submitted this 16th day of April, 2020.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of McDonald Carano LLP, and that on April 16, 2020, a true and correct copy of the foregoing **AMENDED APPENDIX OF EXHIBITS IN SUPPORT OF TESLA, INC.'S MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, FOR PARTIAL SUMMARY JUDGMENT (VOLUME 3 of 3)** was electronically filed with the Clerk of the Court by using CM/ECF service which will provide copies to the following counsel of record registered to receive CM/ECF notification.

/s/ CaraMia Gerard
An employee of McDonald Carano LLP



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